

REMARKS

Formalities

Claims 1-11 are all the claims pending in the application. Claims 1 and 2 stand withdrawn. Therefore, Claims 3-11 are all the claims currently under consideration in the present application.

With the current Office Action, the Examiner returns a signed and initialed copy of the PTO-Form 1449 submitted with Applicants' IDS of May 20, 2005. The Examiner also acknowledges Applicants' claim to foreign priority and the receipt of the certified copy of the priority document.

Confidential Proprietary IDS. Applicants filed a confidential Proprietary IDS on May 20, 2005. In the current Office Action, the Examiner asserts that this confidential Proprietary IDS fails to comply with 37 C.F.R. § 1.98(a)(1) (i.e. the Examiner notes that no PTO-Form 1449 was submitted with the confidential Proprietary IDS). In response, Applicants note, as set forth in the transmittal of the confidential Proprietary IDS, that the confidential proprietary IDS is filed under MPEP §724, and **not** under 37 C.F.R. § 1.98. The requirements of 37 C.F.R. § 1.98 do not apply to confidential Proprietary IDSs. Applicants complied with all requirements of MPEP §724, and therefore, the confidential Proprietary IDS filed on May 20, 2004 was proper.

Additionally, Applicants note that the disclosure of a confidential Proprietary IDS is confidential and NOT OPEN TO THE PUBLIC. Therefore, although all references now published since the filing of the proprietary IDS, the Examiner should not have attached a copy of the confidential Proprietary IDS to the current Office Action. Likewise, the Examiner should

not have listed the references cited in the confidential Proprietary IDS in the PTO-892 form unless he actually used them in a rejection of the claims of the present application.

In view of the above, Applicants have had all public record of the references cited in the confidential Proprietary IDS of May 20, 2004 removed from the public PAIR system.

The Examiner is respectfully requested to create a new PTO-892 form, listing only the Yoder reference, to be issued with the next Office communication.

If the Examiner has any questions regarding this matter he is kindly requested to contact Applicants' representative at the number listed below.

Figures

Figures 9 and 13 stand objected to as informal and suitable only for examination purposes. Applicants submit herewith formal replacement sheets for Figures 9 and 13. Applicants note that replacement Figures 9 and 13 include corrections of minor informalities. No new matter is added.

Figures 3 and 5 stand objected to for including reference characters L1 and L3 to designate different light beams in Figure 3 as in Figure 5. Therefore, Applicants submit herewith replacement sheets correcting the notation of L1 and L3 in Figure 3 to match that of Figure 5.

In view of the above, the Examiner is respectfully requested to reconsider and withdrawn the objections to the Figures.

Claim Rejections

Claims 3, 7, 9, and 11 stand rejected under 35 U.S.C. § 102(b) as allegedly unpatentable over Yoder et al., U.S. Patent No. 4,170,401 (“Yoder”). Claims 4-6, 8, and 10 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Yoder. Applicants respectfully traverse these rejections.

Claims 3-6. Regarding claims 3-6, Applicants submit that Yoder fails to teach or suggest a scroll direction change prism, as recited, “which changes a scroll direction of the first light beam so as to be the same as that of a second light beam.” Regarding this limitation, the Examiner refers to the Amici prism 40 of Figures 2 and 5 of Yoder. Applicants note, however, that there is no teaching or suggestion in Yoder of any scrolling of light. Further, as illustrated and described, the Amici prism 40 is specifically used to rotate incident beam A about both the vertical axis and the horizontal axis such that the output beam A is rotated vertically and horizontally from beam B (i.e. beam A and beam B are inverted images of each other) (Figures 2 and 5, col. 3, lns. 43-50; col. 4, lns. 27-31). Therefore, it is clear that the specific purpose of the system of Yoder is to divide a single input beam into two separate beams (A and B) and to rotate one of the beams (e.g. beam A) such that the resultant beams are rotated 180 degrees in two directions from each other. Therefore, not only does Yoder fail to teach or suggest a scroll direction change prism, as recited, “which changes a scroll direction of the first light beam so as to be the same as that of a second light beam,” as recited in Claim 1, it also specifically teaches away from altering one beam so that it is the same as a second beam.

Therefore, Applicants submit that Yoder fails to anticipate Claim 3 and that Claims 4-6 are patentable at least by virtue of their dependence on Claim 3.

Claims 7-11. With this Amendment, Applicants amend Claims 7 and 11. No new matter is added. Applicants submit that Yoder fails to teach or suggest an Amici prism, as recited, comprising a first reflection surface and a second reflection surface, “wherein the first beam, reflected by the first surface and the second surface has a different scrolling direction than the first beam as incident on the first surface.”

Applicants note that the Amici prism 40 of Figures 2 and 5 and the descriptions thereof in Yoder fail to teach or suggest any scrolling of light or any change in a scrolling direction of light, as claimed. As discussed above with respect to Claims 3-6, as illustrated and described, the Amici prism 40 of Yoder is specifically used to rotate incident beam A about both the vertical and horizontal axes from beam B, thereby compensating for angular and translational misalignment errors in a polarized beam. Also, as discussed above with respect to Claims 3-6, Yoder specifically teaches away from altering one beam so that it is the same as a second beam.

Therefore, Applicants submit that Yoder fails to anticipate Claims 7 and 11 and that Claims 8-10 are patentable at least by virtue of their dependence on Claim 7.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/792,278

Q80119

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

CUSTOMER NUMBER

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AMENDMENTS TO THE DRAWINGS

Please replace Figures 3, 9, and 13 with the attached, revised Figures.

Attachment: Three (3) Replacement Sheets